

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION**

STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

XAVIER BECERRA, in his official capacity
as Secretary of the United States Department
of Health and Human Services, *et al.*,

Defendants.

Civil Action No. 5:21-CV-00300-H

NOTICE OF APPEAL

Notice is hereby given that all Defendants in the above named case hereby appeal to the U.S. Court of Appeals for the Fifth Circuit from this Court's Final Judgment entered on March 31, 2023 (ECF No. 70) and all prior orders and opinions merged into the judgment.

Dated: May 26, 2023

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

MICHELLE R. BENNETT
Assistant Branch Director
Federal Programs Branch

/s/ Christopher D. Edelman

CHRISTOPHER D. EDELMAN

(DC Bar No. 1033486)

MICHAEL P. CLENDENEN

(DC Bar No. 1660091)

MADELINE M. MCMAHON

(DC Bar No. 1720813)

Trial Attorneys

U.S. Department of Justice

Civil Division, Federal Programs Branch

1100 L Street N.W.

Washington, DC 20005

Phone: (202) 305-8659

Email: christopher.edelman@usdoj.gov

Attorneys for Defendants